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TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter E—Organized Reserves

PART 561—OFFICERS' RESERVE CORPS

PART 562—RESERVE OFFICERS' TRAINING CORPS

MISCELLANEOUS AMENDMENTS

The following amendments to Subchapter E are issued.

1. Section 561.15 (e) is amended to read as follows:

§ 561.15 *Appointment in Officers' Reserve Corps of warrant officers and enlisted personnel of Army of the United States.* * * *

(e) *Vacancies.* Appointment of personnel specified in paragraph (c) of this section, except those in subparagraphs (1) and (2) will be made only to fill vacancies in the Organized Reserve Corps troop programs units of the proper branch (section).

[C1, SR 140–105–3, June 20, 1951] (R. S. 161; 5 U. S. C. 22. Interpret or apply sec. 37, 39 Stat. 189, as amended; 10 U. S. C. 351–353)

2. Part 562 is amended as indicated below:

a. Section 562.12 is amended by changing paragraph (a) (4) and revoking paragraph (b) (1) as follows:

§ 562.12 *Classification of ROTC units.* * * *

(a) *Senior division.* * * *

(4) *Class MI.* Essentially military schools specially designated by the Secretary of the Army as in class MI, which do not confer baccalaureate degrees and at which the average age of students at graduation is less than 21 years, but which otherwise meet the requirements of class MC or class MJC and accept and maintain the specially designated program of instruction for this classification of ROTC institution.

(b) *Junior division.* * * *

(1) *Class MS.* [Revoked]

* * * * *

b. Section 562.22 (a) (2) (ii) is amended to read as follows:

§ 562.22 *Conditions for enrollment in a specific course.* * * *

(a) *For basic course, senior division.* * * *

(2) *Academic requirements.* Students enrolling in this course must:

* * * * *

(ii) If entering the first year basic course at institutions which confer degrees, have at least three academic years remaining in their academic course at the institution, and if at a class MJC or class MI institution, must be enrolled in the junior year of the preparatory or high school course. See § 562.27 for training of students ineligible for enrollment.

* * * * *

c. Section 562.66 (c) is amended to read as follows:

§ 562.66 *Transportation.* * * *

(c) *Students without funds.* When a student is without funds with which to purchase transportation to travel to a designated camp, he may be authorized transportation in kind and meal tickets by continental army and oversea commanders. In such cases, the orders issued directing the travel will specifically state that transportation in kind (indicating whether transportation request or Government conveyance) and meal tickets, when applicable, will be furnished. Transportation request and meal tickets will be forwarded to the student with the orders directing him to proceed to camp. Cost of this transportation and subsistence will be borne by ROTC funds allocated to continental Army and oversea commanders.

[C 2, AR 145–350, June 22, 1951, C 1, SR 145–30–1, June 28, 1951] (R. S. 161; 5 U. S. C. 22. Interpret or apply 39 Stat. 191, as amended, sec. 34, 41 Stat. 778; 10 U. S. C. 354, 381–388, 441)

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
Acting The Adjutant General.

[F. R. Doc. 51–8035; Filed, July 12, 1951; 8:45 a. m.]

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FEDERAL REGISTER

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A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

Subchapter F—Personnel

PART 573—APPOINTMENT OF COMMISSIONED OFFICERS AND WARRANT OFFICERS

MISCELLANEOUS AMENDMENTS

Part 573 is amended as indicated below:

1. Paragraphs (b) and (c) (2) of § 573.10 are changed as follows:

§ 573.10 *General eligibility requirements.* * * *

(b) Have reached twenty-first birthday but not have passed twenty-seventh birthday on date of appointment, except for appointment in Corps as indicated in subparagraphs (1) through (8) of this paragraph:

* * * * *

(c) * * *

(2) Enlisted personnel and warrant officers of the Regular Army, distinguished graduates of Army officer candidate course, and distinguished graduates of Women's Army Corps officer candidate course provided they pass an officer's educational qualification test. However, a waiver * * * college or university.

* * * * *

2. Sections 573.11 *Waivers* and 573.12 *Waivers for age* are hereby revoked.

[C 2, AR 605-25, June 22, 1951] (R. S. 161; 5 U. S. C. 22)

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
Acting The Adjutant General.

[F. R. Doc. 51-8036; Filed, July 12, 1951; 8:45 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 22, Amendment 16]

CPR 22—MANUFACTURERS' GENERAL CEILING PRICE REGULATION

CORRECTIONS, CHANGES AND CLARIFICATIONS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment to Ceiling Price Regulation 22 (16 F. R. 3562) is hereby issued.

STATEMENT OF CONSIDERATIONS

Since the issuance on April 25, 1951, of Ceiling Price Regulation 22, questions raised by industry and further study of some of the problems involved have indicated the need for clarifying some of the provisions of the regulation and amending it in certain particulars.

DELETION OF "INVENTORY WINDFALL" PROVISIONS

For the reasons indicated in the Statement of Considerations accompanying Amendment 17 to the General Ceiling Price Regulation, it is deemed advisable to eliminate from section 21 of Ceiling Price Regulation 22 the prohibition against "inventory windfalls" contained in paragraph (d) of that section. This is accomplished by deleting subparagraph (1) of the paragraph and by making certain minor changes in paragraphs (b) and (c) as corollaries of this deletion.

REPORTING OF INCREASES UNDER SECTION 21

Both section 21 of Ceiling Price Regulation 22 and section 11 of the General Ceiling Price Regulation permit sellers to increase their ceiling prices to reflect increases in the cost to them of agricultural commodities (or products processed therefrom) which are selling at prices below parity or the other legal minima set out in the Defense Production Act of 1950. Thus, sellers are enabled to preserve their base period dollar-and-cent margins.

Section 11 of the General Ceiling Price Regulation contains reporting provisions which simply require the seller to place a registered letter in the mail, addressed to the Director of Price Stabilization, before increasing his ceiling price under that section. The information to be included in that letter is sufficient to enable the Director to determine if the increase is properly taken, but is not so involved as to be a burden on the seller.

This method of reporting has proved satisfactory and, therefore, this amendment adopts that procedure for reports required to be made under section 21 of Ceiling Price Regulation 22. There are, naturally, slight differences from the General Ceiling Price Regulation provisions due to the fact that there are differences in the basic pricing techniques of the two regulations, but the two provisions are the same in substance.

This amendment provides, in a new section 21 (g), that, before the seller may increase his ceiling price, he must mail a registered letter to the Director of Price Stabilization in which certain prescribed information is set out. The information required to be filed by producer-processors, cooperative processors, and processors working under deferred payment contracts (all of whom price under section 21 (f) naturally differs from that to be submitted by processors generally, since the former three groups have different methods for computing their costs. Slight changes have been made in the language of sections 21 (b), (c), (f) and 48 (b), (c) to dovetail them with the new section 21 (g).

Finally, slight changes have been made in the language of section 21 (f) (1) and (2) dealing with the choice of the competitor whose costs are to be adopted by producer-processors and processors operating under deferred payment contracts. These changes were made in order to clarify the meaning of those provisions and because of the elimination of section 21 (d) (1).

Under what was, prior to this amendment, paragraph (d) (2) of section 21, a current date may not be used in figuring the change in net cost of an agricultural commodity (or product processed therefrom) listed in Appendix C beyond either (1) the date that the Director of Price Stabilization deletes the commodity from Appendix C, or (2) a date more than five days after the publication "Agricultural Prices" contains a price for the commodity which satisfies the legal minima set out in the Defense Production Act of 1950. It has been found to be both unnecessary and confusing to tie the cut-off date to the date of publication of "Agricultural Prices". When the situation warrants, the Director is able promptly to take any action he finds to be desirable by amendment of Appendix C; and, by such specific amendment, the public will have clear notice of the state of the affected commodity.

Moreover, the former provision, which would have resulted in automatic deletion, prevented individual consideration of each action and might well have caused distorted relationships between the prices of the various agricultural commodities and products involved. This amendment, by eliminating that automatic deletion provision, affords the Director of Price Stabilization an opportunity to exercise the control necessary to maintain a balanced price structure.

EXEMPTIONS

Finally, an oversight is corrected by amending paragraph (c) (5) of Appendix A so that water ices are now exempt from coverage by CPR 22.

AMENDATORY PROVISIONS

CPR 22 is hereby amended in the following respects:

1. Paragraphs (b), (c) and (d) of section 21 are amended to read as follows:

(b) *Calculation by manufacturers of food products.* If the commodity you are pricing is a food product you may, subject to the limitations in paragraphs (d) and (g) of this section, use a current date in figuring the change in net cost per unit of any of the agricultural commodities listed in Appendix C, or of any food products processed from these listed agricultural commodities.

(c) *Calculation by manufacturers of non-food products.* (1) If the commodity you are pricing is a non-food product you may, subject to the limitations in paragraphs (d) and (g) of this section, use a current date in figuring the change in net cost per unit of any of the agricultural commodities listed in Appendix C, but you must use March 15, 1951 as the date for figuring the change in net cost per unit of any products processed from those listed agricultural commodities.

[Subparagraph (2) of paragraph (c) remains unchanged.]

(d) *Limitations on calculations by all manufacturers; removal from listing.* After you have made your first calculations under this section, you may become entitled to increase the ceiling price of the commodity being priced, if the cost to you of a listed agricultural commodity (or product processed therefrom) has increased. However, in any event, you may not, in figuring the change in net cost of a listed agricultural commodity (or product processed therefrom), use any date subsequent to the date of deletion of the listed agricultural commodity from Appendix C by the Director of Price Stabilization.

2. Paragraph (f) of section 21 is amended to read as follows:

(f) *Special provisions for cooperatives, producer-processors, etc.* (1) This subparagraph applies to you if you are a producer-processor, and you cannot otherwise determine your "materials cost adjustment" for a listed agricultural commodity under paragraphs (b) or (c) of this section because you do not customarily purchase any amount of that commodity from independent producers wholly unaffiliated with you. In that case, calculate your "materials cost adjustment" as follows: For purposes of paragraphs (b) or (c) of this section, use as your net cost per unit the same prices (with adjustment for differences in delivery costs) paid by your nearest competitor. That competitor must be one who receives delivery of the same quality of the commodity as you do, in the same quantities (baskets, tons, carloads, etc.), at firm prices for processing. However, you may not increase the ceiling price after the date set out in paragraph (d) as the final date that may be used by other processors for figuring changes in net cost. In addition, you must make the report required by paragraph (g) before increasing your ceiling price.

(2) This subparagraph applies to you if you are a processor who purchases the listed agricultural commodity under "open" price or deferred payment contracts which relate the price you pay the producer to facts unknown both at the time the raw agricultural commodity is delivered to you and at the time of sale of the processed product, and you cannot otherwise determine your "materials cost adjustment" for a listed agricultural commodity under paragraph (b) or (c) of this section because you do not customarily purchase any amount of that commodity at prices finally determined at the time of sale. In that case calculate your "materials cost adjustment" as follows: For purposes of paragraph (b) or (c) of this section, use as your net cost per unit the same prices (with adjustment for differences in delivery costs) paid by your nearest competitor. That competitor must be one who receives delivery of the same quality of the commodity as you do, in the same quantities (baskets, tons, carloads, etc.), at firm prices for processing. However, you may not increase the ceiling price after the date set out in paragraph (d) of this section as the final date that may be used by other processors for figuring changes in net cost. In addition, you must make the report required by paragraph (g) of this section before increasing your ceiling price.

(3) This subparagraph applies to you if you are a producer-owned cooperative processor, and you cannot otherwise determine your "materials cost adjustment" for a listed agricultural commodity under paragraph (b) or (c) of this section because you do not customarily purchase any amount of that commodity from independent producers wholly unaffiliated with you. In that case you may increase your ceiling price (as determined under the other sections of this regulation) for products processed from such commodities if the entire dollar-and-cent increase in total gross sales revenue derived from that increase in your ceiling price is passed back to producers within 30 days after the end of each normal accounting period. The amount so passed back must be in addition to the full amount you would normally have passed back to producers had you sold the processed product at the ceiling price determined under the other sections of this regulation. You may not, however, increase your ceiling price after the date set out in paragraph (d) of this section as the final date that may be used by other processors for figuring changes in net cost. In addition, you must make the report required by paragraph (g) of this section before increasing your ceiling price.

3. A new paragraph designated "(g)" is added to section 21 reading as follows:

(g) *Required report.* You may not increase your ceiling price under the provisions of this section above that price initially determined pursuant to the provisions of this regulation unless and until you place in the mail a registered letter, addressed to the Director of Price Stabilization, Washington 25, D. C., containing the following information:

(1) If it is not necessary for you to use section 21 (f) in determining your ceiling prices, you report:

(i) Your existing ceiling price and the description of the commodity.

(ii) The paragraph number in section 18 of this regulation under which you compute your net cost for the manufacturing material, or a designation of the other section under which you compute your net cost.

(iii) The net cost per unit of material, determined under the section mentioned in subdivision (ii) of this subparagraph, used in calculating your last ceiling price under this regulation.

(iv) The net cost per unit of material, determined under the section mentioned in subdivision (ii) of this subparagraph, for the current date.

(v) The increased ceiling price.

(2) If you are a processor who uses either section 21 (f) (1) or (2) in determining your ceiling prices, you report:

(i) The name and address of your nearest competitor selected pursuant to section 21 (f) (1) or (2).

(ii) Your existing ceiling price.

(iii) Your nearest competitor's net cost per unit (for the material) last used by you in calculating under this section 21.

(iv) Your nearest competitor's net cost per unit (for the material) on the current date.

(v) The increased ceiling price.

(3) If you are a processor who uses section 21 (f) (3) in determining your ceiling prices, you report:

(i) The amount retained by you per unit of the processed commodity sold in the last normal accounting period before the end of your base period.

(ii) The amount passed back to producers per unit of the processed commodity sold in the last normal accounting period before the end of your base period.

(iii) The amount retained by you per unit of the processed commodity sold in the most recent normal accounting period.

iv) The amount passed back to producers per unit of the processed commodity sold in the most recent normal accounting period.

4. Paragraph (b) of section 48 is amended to read as follows:

(b) On and after the effective date of this regulation you shall not sell any commodity subject to this regulation unless you have complied with the report requirements of sections 21, 32, 33, or 46, whichever is applicable.

5. The first sentence of paragraph (c) of section 48 is amended to read as follows:

(c) In the event your ceiling price for a commodity under this regulation is higher than your ceiling price under the General Ceiling Price Regulation (except when you raise your price, pursuant to section 21, above that price initially calculated under this regulation) you shall not sell that commodity at a price exceeding your ceiling price under the General Ceiling Price Regulation, except under the following conditions:

[In all other respects paragraph (c) remains the same.]

6. Subparagraph (5) of paragraph (c) in Appendix A is amended to read as follows:

(5) Dairy products—for the purpose of this regulation, dairy products shall include milk and butterfat and products manufactured or processed in a dairy plant from either milk or butterfat when the milk solids content of the product is greater than the solids content of any other ingredient except sugar; and shall also include water ices (a product composed of water, sugar, flavoring and stabilizer) prepared in bulk, package form, or in the form of a stick confection.

(Sec. 704, Pub. Law 774, 81st Cong.)

Effective date. This amendment shall become effective July 17, 1951.

NOTE: The record-keeping and reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 12, 1951.

[F. R. Doc. 51-8141; Filed, July 12, 1951; 11:51 a. m.]

[General Ceiling Price Regulation, Amendment 17]

GENERAL CEILING PRICE REGULATION

DELETION OF "INVENTORY WINDFALL" PROVISIONS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this amendment to the General Ceiling Price Regulation (16 F. R. 808) is hereby issued.

STATEMENT OF CONSIDERATIONS

The purpose of this amendment to the General Ceiling Price Regulation (hereinafter called the "GCPR") is to eliminate those provisions added to section 11 (b) of that regulation by Amendment 13 which prohibit processors and manufacturers from obtaining "inventory windfalls".

Provisions denying to manufacturers and processors of agricultural commodities (or of products processed therefrom) the opportunity to take "inventory windfalls" resulting from the operation of the "parity pass-through" provisions of the GCPR were added to the GCPR in order to prevent higher prices, based, not on actual cost increases, but on the current market value of inventories.

However, it now appears that it is not feasible to retain these provisions of section 11 (b) (2) of the GCPR relating to agricultural commodities the prices of which are below parity. While there has been insufficient time to collect complete figures, there is reason to believe that the effect of elimination of "inventory windfalls" on the cost of living is considerably smaller than was first supposed. In addition, while it is true that the requirement that stocks on hand, consisting of commodities processed from agricultural products purchased at prices lower than current prices (or of commodities made from them), be exhausted before the increase in current prices could be reflected does, over the short run, reduce consumer outlay, its ultimate effect is merely to delay price increases and not to prevent them. Moreover, the prohibition against "inventory windfalls" may be expected to operate in favor of the processor with a substantial inventory as against one who carries small stocks. So long as the former must dispose of existing stocks on the basis of the price of agricultural commodities purchased at a level lower than current prices, the latter will, in many instances, be unable to sell his product on the basis of the higher prices he paid for those agricultural commodities. This is particularly true with respect to opening inventories held at the beginning of a processing season where the commodities involved are seasonal in nature. Furthermore, inventory gains and losses permit many small manufacturers, who cannot or do not hedge, to stabilize their prices and supplies of their commodities. Such manufacturers, if they are permitted to take inventory gains, may anticipate that such gains will, in the long run, approximate inventory losses and will, therefore, be in a better position to maintain the prices for their products without changing them in response to every change in the raw material market.

The mechanics of compliance with the provisions in question may be very burdensome. Many processors are constantly making purchases of raw materials consisting of one or more of the listed agricultural commodities and it is not possible for them, after each purchase of the raw material, to recalculate inventories. These considerations are particularly cogent with respect to those manufacturers whose inventories may be warehoused at widely scattered points, in transit, or in the hands of sales outlets which do not make prompt report of the disposition of supplies of the finished product on hand. Thus, compliance with the provisions of Amendment 13 may very well mean substantial and extensive changes in record keeping systems. Furthermore, the provisions inevitably require a running inventory and such an inventory is inherently less accurate than periodic checks of stocks on hand. The result may be involuntary violation of the prohibitions contained in Amendment 13.

These provisions also pose difficult enforcement problems out of all proportion to the benefits to be derived from the retention of the provisions.

For all these reasons, the Director deems it inadvisable to continue the proscription against "inventory windfalls" for sub-parity farm products in effect in the GCPR.

For these reasons also a parallel amendment of section 21 of CPR 22 is deemed necessary and is being issued simultaneously with the issuance of this amendment.

Special circumstances have rendered impracticable consultation with formal industry advisory committees or trade association representatives. However, the Director has received sufficient information to warrant issuance of this amendment.

In formulating this amendment, the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950. In his judgment, the provisions of this amendment are generally fair and equitable, and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

AMENDATORY PROVISIONS

Section 11 (b) (2) of the GCPR, as amended, is further amended by deleting therefrom the third paragraph and by revising the example so that said section 11 (b) (2) shall read as follows:

(2) The cost to you of a current customary purchase of the listed agricultural commodity (or the product processed therefrom) exceeds the highest price you incurred or paid during the base period. In such case you may increase the ceiling price (as otherwise determined in this regulation) for your product by the dollar-and-cent difference per unit between the highest price incurred or paid by you for a customary purchase during the base period and the cost to you of the most recent customary purchase.

If you have previously increased the ceiling price for your product, you may increase your present ceiling price for the product by the dollar-and-cent difference per unit between the price upon which your last previous increase was based and the cost to you of the most recent customary purchase.

Example: You are a processor of evaporated milk, a product processed from a listed agricultural commodity.

The highest price paid by you for a customary purchase of manufacturing milk in the base period was $3.80 per cwt. The cost to you of the most recent purchase is $4.00 per cwt.—a difference of 20 cents or 2/10 cent per lb.

If you use 94 lbs. of milk to produce a case of evaporated milk, you are entitled to increase your maximum price per case by 18.8 cents per case (94 x 2/10 cent).

If, subsequent to this adjustment, the price you pay for a customary purchase of manufacturing milk should increase to $4.10—a further increase of $0.10 per cwt. or 1/10 cent per lb.—you may add an additional 9.4 cents to your maximum price per case (94 x 1/10 cent).

(Sec. 704, Pub. Law 774, 81st Cong.)

Effective date. This amendment to the General Ceiling Price Regulation shall be effective on July 17, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 12, 1951.

[F. R. Doc. 51-8142; Filed, July 12, 1951; 11:51 a. m.]

[General Ceiling Price Regulation, Supplementary Regulation 38]

GCPR, SR 38—APPLICATIONS FOR ADJUSTMENT BY CERTAIN PRODUCERS OF PIG IRON

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this Supplementary Regulation 38 to the General Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

This supplementary regulation permits producers of pig iron who use foreign iron ore and who sell their product pursuant to long term contracts providing for price escalation to apply to the Office of Price Stabilization for adjustments in their ceiling prices.

It appears that at least one producer of pig iron who uses foreign iron ore sells his product pursuant to long term contracts which were entered into before the inauguration of the stabilization program and which provides for the adjustment of prices in accordance with variations in costs. The cost of foreign iron ore has increased substantially since the base period December 19, 1950, to January 25, 1951, inclusive, both as a result of higher prices paid the producer and higher transportation costs, and this producer of pig iron and others who may be similarly situated may be forced to curtail their use of such ore with a consequent reduction in output unless appropriate price relief is provided. Since merchant pig iron is in critically short supply, any decrease in production would have a serious adverse effect upon the civilian economy and the defense program.

This supplementary regulation provides for the necessary relief by permitting adjustments in ceiling prices, under the circumstances specified, which will allow such producers to continue operations, with their normal dollar margins.

REGULATORY PROVISIONS

Sec.
1. What this supplementary regulation does.
2. Applications for adjustment.
3. Order of adjustment.

AUTHORITY: Sections 1 to 3 issued under sec. 704, Pub. Law 704, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this supplementary regulation does.* This supplementary regulation provides for the adjustment of the ceiling prices established by the General Ceiling Price Regulation for producers of pig iron who have in effect long term contracts providing for price changes in accordance with variations in costs and who use iron ore produced outside of the United States, its Territories or Possessions. The adjustment which will be granted herein will require that the producer adjust his prices quarterly on the basis of the preceding three months period ending one month before the beginning of the quarter.

SEC. 2. *Application for adjustment—* (a) *Who may file.* An application for adjustment pursuant to this supplementary regulation may be filed by any producer of pig iron who (1) sells pig iron pursuant to written contracts entered into before December 19, 1950, for a period of at least five years and which provide for the adjustment of price in accordance with variations in costs, and (2) uses in the production of pig iron sold pursuant to such contracts iron ore produced outside of the United States, its Territories or Possessions.

(b) *How to file an application.* An application pursuant to this supplementary regulation must be filed with the Office of Price Stabilization, Washington 25, D. C., and must contain the following:

(1) The name and address of the applicant;

(2) A statement setting forth the date, duration, and pricing terms of its contracts for the sale of pig iron which are the subject of its application;

(3) A statement of the tonnage of iron ore produced outside of the United States, its Territories or Possessions used by the applicant during the three months period preceding the date of its application in the production of pig iron sold pursuant to such contracts.

(4) A statement of the operating costs and mark-up for the three months period ending one month prior to the date of the application.

SEC. 3. *Order of adjustment.* Any adjustment pursuant to this supplementary regulation will be granted by letter order and the ceiling prices so established will be sufficient to permit the applicant to continue operations, with his normal dollar margin, but will not exceed the prices determined in accordance with the contracts covered by the producer's application. Such order will also require the producer to furnish quarterly operating statements.

Effective date. This supplementary regulation becomes effective July 12, 1951.

MICHAEL V. DISALLE,
Director,
Office of Price Stabilization.

JULY 12, 1951.

[F. R. Doc. 51-8143; Filed, July 12, 1951; 11:51 a. m.]

[General Overriding Regulation 13—Interpretation 1]

GOR 13—CONTINUATION OF CEILING PRICES IN EFFECT ON JUNE 30, 1951, FOR COMMODITIES OR SERVICES COVERED BY SPECIFIED MANUFACTURERS' REGULATIONS

INT. 1—REGULATIONS IN EFFECT AS TO MANUFACTURERS ON JUNE 30, 1951

Section 2 of GOR 13 provides that a seller's ceiling price for any commodity under a listed regulation is determined under that regulation if it "was in effect" as to him on June 30, 1951.

This interpretation is intended to clarify the meaning of the phrase "was in effect," and to provide a basis for determining whether a manufacturer had actually put a regulation into effect as to him prior to July 1. It is believed that this interpretation disposes of most of the questions presented to the OPS on this subject, and that application of the tests here stated will provide clear answers. But it is not possible, of course, to anticipate all fact situations; these may require further rulings, not modifying the rules here stated but developing other rules which must be taken into account.

Under GOR 13, a seller to be under CPR 22 or 30 must have exercised his option to put the regulation into effect on or before June 30. If he can show this, then the regulation is in effect as to him for all his products covered by that regulation.

How can a seller show that he put CPR 22 or 30 into effect as to him on or before June 30? He must do this by showing that on or before June 30, he had both complied with the requirements of the regulation and had taken action to put it into effect prior to July 1, either by making price increases effective prior to July 1, or by other action, such as actual written notification to OPS or his customers that he was putting the regulation in effect prior to July 1, 1951.

A necessary prerequisite to put CPR 22 and CPR 30 into effect in the case of a price increase was that a Form 8 be filed more than 15 days prior to putting the increase into effect. Each of these regulations also provides in effect that any seller who made it effective for an increase also made it effective for all decreases.

This means that no one can be said to have put CPR 22 or CPR 30 into effect on or before June 30 who did not receive a return receipt or other acknowledgment showing that his Form 8 proposing a price increase had been received prior to June 15, 1951.

A mere filing of the form, however, does not indicate that CPR 22 or CPR 30 was in effect as to a seller. Many sellers filed their Form 8's before June 15th but did not exercise their option to put into effect either the price increases or price decreases, or both, which would have resulted from the use of the regulations in question. The regulations were not in effect as to these sellers. If, however, prior to July 1, 1951 the sellers, acting pursuant to CPR 22 or CPR 30, made offers in writing, contracts, sales, or deliveries at prices above their GCPR prices, that shows such sellers put the regulations into effect.

When the seller's only action in putting the regulation into effect was in terms applicable solely to deliveries after June 30, 1951, this shows that the seller was putting the regulation into effect after that date and was merely making advance arrangements for deliveries to be governed by ceilings in effect at the time of delivery. In that case, GCPR continues in effect. For example, a manufacturer whose increase was announced only in a price list marked effective July 1, 1951 is still under the GCPR. Where no offers or sales at the CPR 22 or CPR 30 prices were made and no other action was taken to indicate that CPR 22 or CPR 30 was put into effect, the General Ceiling Price Regulation remained in effect as to the seller on June 30, 1951.

A seller may be able to show that he put CPR 22 into effect on or before June 30 by showing that before June 15 he filed Form 8's proposing increases over GCPR ceilings for commodities A and B and actually put the increases into effect on or before June 30 for A. In this situation CPR 22 was generally in effect for the seller on June 30, even as to commodities other than A. If OPS had stopped the proposed increase for commodity B, he would be required to wait for OPS action as to that commodity; OPS will process his form and he can charge the ceiling price for B approved by OPS. Similarly, the mere fact that this seller did not file an additional form as to commodity C on or before June 14 does not preclude him from filing subsequently for that commodity, and he must file Form 8 before he sells commodity C, and comply with the 15-day waiting period if he proposes a price increase for that commodity.

However, if he filed only one Form 8 before June 15 and that was not in effect on June 30 because of OPS action, then CPR 22 was not in effect as to him on June 30.

A seller who has CPR 22 or CPR 30 in effect under GOR 13 has it in effect as to all provisions, including rollbacks, adjustments, supplementary regulations, filings, etc.

What has been said about CPR 22 and CPR 30 applies generally to the other manufacturers' regulations listed in GOR 13. Some of them require no filing and no 15-day waiting period. To show that these regulations were put into effect the seller need not show a filing, but he must show that he either sold at the new higher prices or otherwise took

some action which clearly indicated an election to price under the new regulations prior to July 1. Under CPR's 18, 18 Revision 1, 37, and 41, the election could have been made as to individual articles. Under CPR 45, the election applies to all articles in the category, that is, if the seller clearly indicated an election to price any article under CPR 45, his election applies to all articles in the same category, whether the resulting ceiling prices are higher or lower than the GCPR ceiling prices for the articles.

(Sec. 704, Pub. Law 774, 81st Cong.)

HAROLD LEVENTHAL,
Chief Counsel,
Office of Price Stabilization.

JULY 12, 1951.

[F. R. Doc. 51-8144; Filed, July 12, 1951; 11:51 a. m.]

Chapter XVII—Housing and Home Finance Agency

[CR 3, Appendix 1]

CR 3—RELAXATION OF RESIDENTIAL CREDIT CONTROLS: REGULATION GOVERNING PROCESSING AND APPROVAL OF EXCEPTIONS AND TERMS FOR CRITICAL DEFENSE HOUSING AREAS

APP. 1—CRITICAL DEFENSE HOUSING AREAS

Appendix 1 to CR 3, Relaxation of Residential Credit Controls: Regulation Governing Processing and Approval of Exceptions and Terms for Critical Defense Housing Areas, originally issued at 16 F. R. 3838 (May 2, 1951) and last amended at 16 F. R. 6465 (July 3, 1951), is hereby further amended to read as follows:

APPENDIX 1 TO CR 3 (AS AMENDED)—CRITICAL DEFENSE HOUSING AREAS [1]

Critical defense housing area	State	Date designated
1. San Diego	California	May 2, 1951
2. Corona	do	May 8, 1951
3. Colorado Springs	Colorado	Do.
4. Star Lake	New York	May 23, 1951
5. Fort Leonard Wood Area.	Missouri	Do.
6. Camp Cooke Area	California	June 8, 1951
7. Bremerton	Washington	Do.
8. San Marcos	Texas	Do.
9. Valdosta	Georgia	June 20, 1951
10. Tullahoma	Tennessee	Do.
11. Camp Pendleton Area.	California	Do.
12. Selano County	do	June 29, 1951
13. Quad Cities Area [2]	Iowa-Illinois	Do.
14. Hanford AEC Operations Area.	Washington	July 3, 1951
15. Barstow	California	Do.
16. Camp Roberts Area	do	Do.
17. Brazoria County	Texas	Do.
18. Tooele	Utah	Do.
19. Dana	Indiana	July 13, 1951
20. El Centro-Imperial Area.	California	Do.
21. Borger	Texas	Do.
22. Huntsville	Alabama	Do.

[1] These areas are in addition to three areas of Atomic Energy Commission installations in which exceptions from residential credit restrictions are issued pursuant to CR 2 of the Housing and Home Finance Agency.

[2] Area of Davenport, Iowa; and Moline, East Moline, and Rock Island, Illinois.

B. T. FITZPATRICK,
Acting Housing and
Home Finance Administrator.

[F. R. Doc. 51-8056; Filed, July 12, 1951; 8:48 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 2—RULES OF PRACTICE

COMPLAINTS, DEFAULTS, CONSENT SETTLEMENTS

Correction

In Federal Register Document 51-7688, published at page 6503 of the issue for Wednesday, July 4, 1951, the 14th line of § 2.5 (b) should read: "and desist should not be entered by".

TITLE 20—EMPLOYEES' BENEFITS

Chapter V—Bureau of Employment Security, Department of Labor

PART 604—POLICIES OF THE UNITED STATES EMPLOYMENT SERVICE

OCCUPATIONAL TESTING AND SERVICE TO OLDER WORKERS

Correction

In Federal Register Document 51-8031 appearing on page 6751 of the issue for Thursday, July 12, 1951, the section number "605.10" should be changed to read "§ 604.10".

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Bureau of Dairy Industry

[9 CFR Part 301]

SANITARY INSPECTION OF PROCESS OR RENOVATED BUTTER

NOTICE OF PROPOSED RULE MAKING

Correction

In Federal Register document 51-7900, published at page 6686 of the issue for Tuesday, July 10, 1951, the sentence added to § 301.5 by amendatory paragraph 1, and appearing in the restatement of § 301.5, should read: "Containers constructed of materials mentioned in (1) or (2) of the second preceding sentence shall have smooth inner surfaces without pockets or recesses."

Production and Marketing Administration

[7 CFR Part 44]

UNITED STATES STANDARDS FOR GRADES OF EDIBLE SUGARCANE MOLASSES

EXTENSION OF TIME

Notice is hereby given of an extension, until July 23, 1951, of the period of time within which written data, views, and arguments may be submitted by interested parties for consideration in connection with revised proposed United States Standards for Grades of Edible Sugarcane Molasses.

The revised proposed standards for grades of edible sugarcane molasses are set forth in the notice which was published in the FEDERAL REGISTER on May 17, 1951. (16 F. R. 4620-1)

Done at Washington, D. C., this 9th day of July 1951.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 51-8068; Filed, July 12, 1951; 8:51 a. m.]

[7 CFR Parts 725, 726]

BURLEY, FLUE-CURED, FIRE-CURED, DARK AIR-CURED, AND VIRGINIA SUN-CURED TOBACCO

NOTICE OF FORMULATION OF REGULATIONS RELATING TO ESTABLISHMENT OF TOBACCO FARM ACREAGE ALLOTMENTS

EDITORIAL NOTE: The original document designated F. R. Doc. 51-7836, appearing at page 6625 of the issue for Saturday, July 7, 1951, has been changed so that the words "1951-52 marketing year" in the first paragraph now read "1952-53 marketing year."

[7 CFR Part 986]

[Docket No. AO 196-A1]

HANDLING OF HOPS GROWN IN OREGON, CALIFORNIA, WASHINGTON, AND IDAHO, AND OF HOP PRODUCTS PRODUCED THEREFROM IN THESE STATES

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO PROPOSED AMENDMENTS TO MARKETING AGREEMENT AND ORDER

Correction

In Federal Register Document 51-7349, published at page 6185 of the issue for Wednesday, June 27, 1951, the following changes are made:

1. In the fourth and fifth lines of § 986.74 (c) (page 6196) the phrase "of alternate member" should read "or alternate member".

2. In § 986.91 the fourth line of the third column on page 6198 should read: "from hops produced by that grower, or".

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 182]

ALLOCATION OF EXPENSES BETWEEN LINE-HAUL AND PICK-UP AND DELIVERY

NOTICE TO CLASS I MOTOR CARRIERS OF PROPERTY

JULY 9, 1951.

The Commission, having under consideration the Uniform System of Ac-

counts for Class I Motor Carriers of Property, pursuant to authority of section 220 (d) of the Interstate Commerce Act, has approved the revision of Instruction 27, § 182.01–27 *Allocation of expenses between line-haul and pick-up and delivery*, as set forth below.

Instruction 27, as revised, provides that the separation of expenses between those incurred in line-haul operations and in pick-up and delivery operations will be required only of carriers which have gross operating revenues of $500,000 or more annually, and derive over 75 percent of their revenues from the intercity transportation of general commodities as a common carrier.

Other changes in Instruction 27 include (1) additional accounts which are to be subdivided to separate amounts applicable to line-haul and to pick-up and delivery operations, as follows:

5310—Equipment Rents—Debit.
5350—Equipment Rents—Credit.

(2) Amplification of the text of the instruction to include more complete information regarding the manner in which amounts includible in the accounts specified are to be separated and the bases for the separations.

Any interested party may on or before August 15, 1951, file with the Commission a written statement of reasons why the proposed modification of Instruction 27 should not be made and may request oral argument if desired.

Unless modifications are found necessary after full consideration of the matter and of all representations respecting it, Instruction 27, revised as set out below shall become effective October 1, 1951.

[SEAL] W. P. BARTEL,
Secretary.

§ 182.01–27 *Allocation of expenses between line haul and pickup and delivery.* (a) Class I common carriers which derive an average of 75 percent or more of their revenues from the intercity transportation of general commodities and which have average annual gross revenues of $500,000 or more, based on the three calendar years ended December 31, 1950, and on the latest three calendar years thereafter, shall separate expenses between line haul and pickup and delivery as provided in this instruction. Class I motor carriers, other than those specified above, are not required to comply with the provisions of this instruction.

(b) Carriers required to comply with the provisions of this instruction shall separate the amounts includible in the following accounts between those applicable to line haul and those applicable to pickup and delivery:

4130—Repairs and Servicing — Revenue Equipment.
4160—Tires and Tubes—Revenue Equipment.
4230—Drivers and Helpers.
4250—Fuel for Revenue Equipment.
4260—Oil for Revenue Equipment.
4270—Purchased Transportation.
5020—Depreciation of Revenue Equipment.
5210—Gasoline, Other Fuel, and Oil Taxes.
5220—Vehicle License and Registration Fees.
5310—Equipment Rents—Debit.
5350—Equipment Rents—Credit.

(c) The separation between line haul and pickup and delivery expenses in the accounts listed above shall be made in the following manner:

(1) *Classification of expenses, other than wages of drivers and helpers.* (i) All expenses for vehicles classified (see paragraph (b) of this section) as "line haul" shall be entered in the line haul subdivisions of the accounts, and all the expenses for vehicles classified as "pick-up and delivery" shall be entered in the pickup and delivery subdivisions of the accounts.

In no case shall the expenses of a vehicle be split between the two subdivisions of an account.

(ii) For the purpose of separating the expenses each revenue vehicle (truck, tractor or trailer) shall be classified as "line haul" or "pickup and delivery," according to the service in which it is predominantly employed.

Include in the "line haul" classification all revenue vehicles predominantly engaged in the transportation of property in terminal-to-terminal, peddle, and other intercity service. Peddle trips are trips operated out of a local area, consisting of a city or town and contiguous suburban districts, for the purpose of delivering freight to consignees and gathering freight from consignors at points outside such area. The incidental or occasional use in pickup and delivery or local cartage service of vehicles regularly employed in line-haul service would not affect their classification as "line haul."

Include in the "pickup and delivery" classification all revenue vehicles predominantly employed in pickup and delivery service and local cartage service within a local area as defined above. The incidental or occasional use in line-haul service of vehicles regularly employed in pickup and delivery or local cartage service would not affect their classification as "pickup and delivery."

Where a vehicle or fleet of vehicles is used with complete interchangeability in the carrier's regular line-haul and pickup and delivery services, and a separation based on predominant use is not feasible, such vehicle or fleet of vehicles should be classified as "line haul."

Where vehicles assigned to over-night intercity runs, are also used more or less regularly during the day in the carrier's general pickup and delivery service, such vehicles should be classified as "line haul."

(2) *Classification of wages of drivers and helpers.* (i) The separation of drivers' and helpers' wages between the "line haul" and "pickup and delivery" subdivisions of account 4230, Drivers and Helpers, shall be made according to the type of service performed by the employee. Thus, if a driver makes a line haul trip, whether terminal-to-terminal, peddle, or other, his wages for the trip shall be charged to the "line haul" subdivision of the account, irrespective of whether the vehicle used for the trip has been classified as "line haul" or "pickup and delivery." Similarly, if a driver is engaged in the carrier's general pickup and delivery service, his wages while so employed shall be charged to the "pickup and delivery" subdivision of the account, irrespective of whether the vehicle used in making the pickups and deliveries has been classified as "pickup and delivery" or "line haul."

(ii) Where a driver making a line-haul trip picks up or delivers all or part of his load at point of origin or destination or points en route, the entire wages of the driver shall be charged to the "line haul" subdivision of account 4230, except that where the driver's compensation for the pickup and delivery work performed is computed separately for payroll purposes it shall be charged to the "pickup and delivery" subdivision.

(iii) Where a driver spends part of the day in making a line-haul trip after which he is assigned to the carrier's general pickup and delivery service, his wages for the line-haul trip shall be charged to the "line haul" subdivision of the account and his wages for the pickup and delivery work performed shall be charged to the "pickup and delivery" subdivision.

(iv) Also, where a driver is employed in either line-haul or pickup and delivery service and, in addition, is regularly assigned for a part of his time to platform work at the carrier's terminal, including the loading or unloading of his own or other vehicles, his wages for the time so employed shall be charged to account 4340, Salaries and Wages, Platform Employees (see instruction 11, § 182.01–11).

(d) Any carrier which finds it impracticable to segregate expenses as required by this instruction should furnish the Commission with full particulars of the conditions which prevent the proper segregation. Upon receipt of such information carriers will be advised of the procedure to be followed.

[F. R. Doc. 51–8062; Filed, July 12, 1951; 8:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 240]

REPORTS BY CANADIAN BANKS

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Securities and Exchange Commission has under consideration a proposal for the adoption of a rule dealing with reports filed pursuant to section 15 (d) of the act by Canadian banks. The proposed rule would permit such banks to file as their annual reports under the act the information and documents which they are required by the Bank Act of Canada to furnish to their stockholders. The rule further provides that current and quarterly reports would not be required to be filed by such banks. The text of the proposed rule (Rule X-15D–14) is as follows:

§ 240.15d–14 *Reports by Canadian Banks.* (a) Any bank existing under the laws of the Dominion of Canada and subject to the Bank Act of Canada may file as its annual report pursuant to § 240.15d–1 the information and documents which such bank is required by section 53 of such act, or any

section superseding such section, to furnish to its stockholders. Such information and documents, if not in the English language, shall be accompanied by an English translation, shall be filed under cover of the facing sheet of Form 10–K, and shall be accompanied by the signatures required by that form. Such annual report shall be filed with the Commission not later than the expiration of the period specified in the act within which such information and documents are required to be sent to stockholders.

(b) Any such bank filing annual reports pursuant to this section need not file current reports pursuant to § 240.15d–11 or quarterly reports pursuant to § 240.15d–13.

All interested persons are invited to submit data, views and comments on the proposed rule in writing to the Securities and Exchange Commission at its principal office, 425 Second Street NW., Washington 25, D. C., on or before July 20, 1951.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

JULY 3, 1951.

[F. R. Doc. 51–8043; Filed, July 12, 1951; 8:47 a. m.]

NOTICES

POST OFFICE DEPARTMENT

PARAGUAY

TEMPORARY SUSPENSION OF PARCEL POST SERVICE

Effective at once, parcel post service to Paraguay is temporarily suspended.

(R. S. 161, 396, 398, secs. 304, 309, 42 Stat. 24, 25, 48 Stat. 943; 5 U. S. C. 22, 369, 372)

[SEAL] J. M. DONALDSON,
Postmaster General.

[F. R. Doc. 51–8018; Filed, July 12, 1951; 9:07 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43, Special Order 67, Amendment 1]

CHESTER H. ROTH CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. Special Order 67, under section 43 of Ceiling Price Regulation 7, issued on June 4, 1951, established ceiling prices for sales at retail of socks and stockings distributed by Chester H. Roth Co., Inc., under the brand names "Esquire Socks," "Fruit of the Loom Socks," and "Schiaparelli Stockings". The special order required the distributor to mark each article listed in the special order with the retail ceiling price fixed under the special order, or to attach to each article a label, tag or ticket stating the retail ceiling price. Applicant was required to comply with this preticketing provision on and after July 5, 1951.

Chester H. Roth Co., Inc., has filed an application for an extension of time in which to meet this preticketing requirement. The application points out that the applicant has in various mills and in their warehouse a large number of items covered by the special order which are pre-ticketed with their retail prices and boxed, and that to require the applicant to open each one of these boxes, take out the merchandise, remove old price labels and affix new labels would create undue hardship both by way of expense and time.

Under the special circumstances set forth by the applicant, the Director has determined that the requested amendment should be granted in part.

AMENDATORY PROVISIONS

Special Order 67 under Ceiling Price Regulation 7, section 43, is amended in the following respects:

1. In paragraph 4, substitute for the mark or statement

OPS—Sec. 43—CPR 7
Price $--------

the following mark or statement:

$--------

2. Add to paragraph 4, following the last sentence appearing therein, the following:

On and after January 5, 1952, Chester H. Roth Co., Inc., must mark each article listed in paragraphs 1, 2 (a) and 2 (b) of this special order with the retail ceiling price under this special order, or attach to the article a label, tag or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price $--------

On and after February 5, 1952, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to February 5, 1952, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting requirements of the regulation which would apply in the absence of this special order.

Effective date. This amendment shall become effective on July 12, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

JULY 12, 1951.

[F. R. Doc. 51–8140; Filed, July 12, 1951; 11:50 a. m.]

HOUSING AND HOME FINANCE AGENCY

Office of the Administrator

SPECIAL REPRESENTATIVES OF HOUSING AND HOME FINANCE ADMINISTRATOR

DELEGATION OF AUTHORITY TO PERFORM FUNCTIONS IN CONNECTION WITH RELAXATION OF HOUSING CREDIT CONTROLS IN AREAS AFFECTED BY SAVANNAH RIVER (S. C. AND GA.), PADUCAH (KY.), AND REACTOR TESTING STATION (IDAHO) INSTALLATIONS OF ATOMIC ENERGY COMMISSION

The delegation of authority, effective April 14, 1951 (16 F. R. 3319), from the Housing and Home Finance Administrator to Paul E. Ferrero (Savannah River Office, Aiken, S. C.), Joseph Tufts (Paducah, Ky.), and Phil A. Doyle (Idaho Falls, Idaho), is hereby amended to read as follows:

McClellan Ratchford (Savannah River Office, Aiken, S. C.), Joseph Tufts (Paducah, Ky.), and Phil A. Doyle (Idaho Falls, Idaho), Special Representatives of the Housing and Home Finance Administrator, Office of the Administrator, Housing and Home Finance Agency, each is hereby authorized, in his respective assigned area, to take any action (including the making of any determination and the approval of any application) which it is necessary or appropriate for the Housing and Home Finance Administrator to take in the administration of Housing and Home Finance Agency Regulation CR 2, 16 F. R. 2232 (1951), as now or hereafter amended, which regulation pertains to the processing and approval, for the areas affected by the Savannah River (S. C. and Ga.), Paducah (Ky.), and Reactor Testing Station (Idaho) installations of the Atomic Energy Commission, of exceptions from residential credit restrictions otherwise applicable and to the terms and conditions attached to such approval.

Any action taken by any of the aforementioned delegates in this connection is hereby ratified, confirmed and adopted.

This delegation of authority supersedes the prior delegation (effective March 10, 1951, 16 F. R. 2610) from the Housing and Home Finance Administrator to Paul E. Ferrero, Jr. and Joseph Tufts.

(Reorg. Plan No. 3 of 1947, 61 Stat. 954 (1947); 62 Stat. 1268, 1283–85 (1948), 12 U. S. C. 1701c (Supp. 1949), as amended, Pub. Law 475, 81st Cong., 2d Sess., sec. 503 (1) (Apr. 20, 1950); Titles VI and VII, Pub. Law 774, 81st Cong., 64 Stat. 812–822; Secs. 501, 502 and 902, E. O. 10161, Sept. 9, 1950, 15 F. R. 6106; Sec. 6 (p), Reg. X, as amended, 15 F. R. 6817, 7831 (1950), 16 F. R. 308, 1586, 2078, 2575, 2969, 3345, 4466 (1951); HHFA CR 1, 16 F. R. 2231 (1951), as amended, 16 F. R. 3302, 3834 (1951); HHFA CR 2, 16 F. R. 2232 (1951), as amended, 16 F. R. 3303 (1951))

Effective as of the 20th day of June 1951.

B. T. FITZPATRICK,
Acting Housing and Home Finance Administrator.

[F. R. Doc. 51–8057; Filed, July 12, 1951; 8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 878, General Permit 1–F]

CARLOAD FREIGHT

LOADING REQUIREMENTS

Pursuant to the authority vested in me in paragraph (e) of Service Order No. 878 (16 F. R. 5768), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act to disregard the provisions of Service Order No. 878 insofar as they apply to carload freight (including import, coastwise, and intercoastal freight) moving first by water on the high seas to a port in the continental United States and thence by rail in a single car, or moving first by water on the high seas to a port in the continental United States, thence by an inland water carrier to another point in the continental United States, and thence by rail in a single car to destination when, in either case, such carload freight moves as a complete order from both the point it is first shipped by water and the point it is reshipped by rail.

The shipping instructions and waybills shall show reference to this general permit, and any consignor forwarding cars under this general permit shall furnish the Permit Agent with the dates forwarded, car numbers, initials, weights and destinations of the cars shipped under this general permit; such information to be furnished on the first day of each month.

This general permit shall become effective at 12:01 a. m., July 16, 1951, and shall expire at 11:59 p. m., November 30, 1951, unless otherwise modified, changed, suspended or revoked.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of July 1951.

HOWARD S. KLINE,
Permit Agent.

[F. R. Doc. 51–8064; Filed, July 12, 1951; 8:50 a. m.]

[S. O. 878, General Permit 2–F]

BARRELS OR DRUMS

LOADING REQUIREMENTS

Pursuant to the authority vested in me in paragraph (e) of Service Order No. 878 (16 F. R. 5768), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act to disregard the provisions of Service Order No. 878 insofar as they apply to any car loaded with any commodity named in Appendix A in barrels or drums weighing 500 pounds or more when such barrels or drums are loaded on end one tier high covering the entire floor space of the car, and/or in barrels or drums weighing 250 pounds or more each and less than 500 pounds loaded on end two tiers high covering the entire floor space of the car.

The shipping instructions and waybills shall show reference to this general permit, and any consignor forwarding cars under this general permit shall furnish the Permit Agent with the dates forwarded, car numbers, initials, weights and destinations of the cars shipped under this general permit; such information to be furnished on the first day of each month.

This general permit shall become effective at 12:01 a. m., July 16, 1951, and shall expire at 11:59 p. m., November 30, 1951, unless otherwise modified, changed, suspended or revoked.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of July 1951.

HOWARD S. KLINE,
Permit Agent.

[F. R. Doc. 51–8065; Filed, July 12, 1951; 8:50 a. m.]

[S. O. 878, General Permit No. 3–F]

MIXED COMMODITIES

LOADING REQUIREMENTS

Pursuant to the authority vested in me in paragraph (e) of Service Order No. 878 (16 F. R. 5768), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act to disregard the provisions of Service Order No. 878 insofar as they apply to any car loaded with mixed commodities including commodities named in Appendix A when the volume of commodities named in Appendix A is thirty-three and one-third percent or less by weight of the total weight of the car.

The shipping instructions and waybills shall show reference to this general permit, and any consignor forwarding cars under this general permit shall furnish the permit agent with the dates forwarded, car numbers, initials, weights and destinations of the cars shipped under this general permit; such information to be furnished on the first day of each month.

This general permit shall become effective at 12:01 a. m., July 16, 1951, and shall expire at 11:59 p. m., November 30, 1951, unless otherwise modified, changed, suspended or revoked.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of July 1951.

HOWARD S. KLINE,
Permit Agent.

[F. R. Doc. 51–8066; Filed, July 12, 1951; 8:50 a. m.]

[S. O. 878, General Permit 4–F]

CARTONS

LOADING REQUIREMENTS

Pursuant to the authority vested in me in paragraph (e) of Service Order No. 878 (16 F. R. 5768), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act to disregard the provisions of Service Order No. 878 insofar as they apply to carload freight consisting of commodities named in Appendix A packed in glass in cartons and packed in tin in cartons in mixed cars when such cars are loaded to 60,000 pounds or more.

The shipping instructions and waybills shall show reference to this general permit, and any consignor forwarding cars under this general permit shall furnish the Permit Agent with the dates forwarded, car numbers, initials, weights and destinations of the cars shipped under this general permit; such information to be furnished on the first day of each month.

This general permit shall become effective at 12:01 a. m., July 16, 1951, and shall expire at 11:59 p. m., November 30, 1951, unless otherwise modified, changed, suspended or revoked.

A copy of this general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of July 1951.

HOWARD S. KLINE,
Permit Agent.

[F. R. Doc. 51–8067; Filed, July 12, 1951; 8:51 a. m.]

[4th Sec. Application 26246]

PETROLEUM PRODUCTS FROM NORFOLK AND PORTSMOUTH, VA., TO HENDERSON, N. C.

APPLICATION FOR RELIEF

JULY 10, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-

haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for the Atlantic and Danville Railway Company and Southern Railway Company.

Commodities involved: Gasoline and other petroleum products, in tank-car loads.

From: Norfolk and Portsmouth, Va.

To: Henderson, N. C.

Grounds for relief: Circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, ICC No. 1065, supp. 235.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-8044; Filed, July 12, 1951; 8:47 a. m.]

[4th Sec. Application 26247]

SAND AND CRUSHED STONE FROM INDIANA TO CHARLESTON, ILL.

APPLICATION FOR RELIEF

JULY 10, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. G. Raasch, Agent, for the New York Central Railroad Company and New York, Chicago and St. Louis Railroad Company.

Commodities involved: Sand, gravel and crushed stone, carloads.

From Cayuga, Terre Haute and Greencastle, Ind.

To: Charleston, Ill.

Grounds for relief: Wayside pit competition.

Schedules filed containing proposed rates; N. Y. C. R. R. Co., tariff ICC No. 6034; N. Y. C. & St. L. R. R. Co. tariff ICC 429.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-8045; Filed, July 12, 1951; 8:47 a. m.]

[4th Sec. Application 26248]

CARBON DIOXIDE FROM SALTVILLE, VA., TO THE SOUTH

APPLICATION FOR RELIEF

JULY 10, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff ICC No. 1251.

Commodities involved: Carbon dioxide, solidified (dry ice), carloads.

From: Saltville, Va.

To: Atlanta, Ga., Birmingham, Ala., New Orleans, La., and other specified points in southern territory.

Grounds for relief: Circuitous routes, to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, ICC No. 1251, supp. 1.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-8046; Filed, July 12, 1951; 8:47 a. m.]

[4th Sec. Application 26249]

HAY AND RELATED ARTICLES BETWEEN POINTS IN THE SOUTHWEST

APPLICATION FOR RELIEF

JULY 10, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by D. Q. Marsh, Agent, for carriers parties to fourth section applications Nos. 20537 and 16299.

Commodities involved: Hay and related articles, carloads.

From, to and between points in the Southwest, including eastern Colorado, New Mexico, Kansas, southern Missouri and Mississippi River Crossings.

Grounds for relief: Circuitous routes, to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-8047; Filed, July 12, 1951; 8:47 a. m.]

[4th Sec. Application 26250]

NURSERY STOCK FROM THE SOUTH TO OFFICIAL TERRITORY

APPLICATION FOR RELIEF

JULY 10, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff ICC Nos. 1172 and 1193.

Commodities involved: Nursery stock, viz: trees, shrubs and vines, carloads.

From: Points in southern territory.

To: Points in official territory.

Grounds for relief: Circuitous routes, to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, ICC No. 1172, supp. 55; C. A. Spaninger, Agent, ICC No. 1193, supp. 21.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they

intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-8048; Filed, July 12, 1951; 8:47 a. m.]

[4th Sec. Application 26251]

MOTOR VEHICLE SPRINGS FROM CHICAGO, ILL., TO CERTAIN POINTS

APPLICATION FOR RELIEF

JULY 10, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. C. Schuldt, Agent, for carriers parties to his tariff ICC No. 3758, pursuant to fourth section order No. 9800.

Commodities involved: Springs, elliptic or semielliptic, motor vehicle, carloads.

From: Chicago, Ill.

To: Baltimore, Md., Boston, Mass., Newport News and Norfolk, Va., New York, N. Y., and Philadelphia, Pa.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-8049; Filed, July 12, 1951; 8:47 a. m.]

[4th Sec. Application 26252]

VARIOUS COMMODITIES FROM SOUTHERN TERRITORY TO POINTS IN OFFICIAL AND SOUTHERN TERRITORIES

APPLICATION FOR RELIEF

JULY 10, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's' tariff ICC No. 1172 and other tariffs, pursuant to fourth section order No. 9800.

Commodities involved: Various commodities, carloads.

From: Points in southern territory.

To: Points in official and southern territories.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-8050; Filed, July 12, 1951; 8:48 a. m.]

[4th Sec. Application 26253]

PAPER BOXES FROM BOGALUSA, LA., TO ST. LOUIS, MO., AND EAST ST. LOUIS, ILL.

APPLICATION FOR RELIEF

JULY 10, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: D. Q. Marsh, Agent, for the Gulf, Mobile and Ohio Railroad Company and St. Louis Southwestern Railway Company, pursuant to fourth section order No. 16101.

Commodities involved: Boxes, fibreboard, pulpboard or strawboard, carloads.

From: Bogalusa, La.

To: St. Louis, Mo., and East St. Louis, Ill.

Grounds for relief: Circuitous routes, operation through higher-rated territory.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-8051; Filed, July 12, 1951; 8:48 a. m.]

[4th Sec. Application 26254]

TRACKLESS TROLLEY BUSSES FROM ST. LOUIS, MO., TO POINTS IN CENTRAL TERRITORY

APPLICATION FOR RELIEF

JULY 10, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. C. Schuldt, Agent, for carriers parties to his tariff ICC No. 4430, pursuant to fourth section order No. 9800.

Commodities involved: Trackless trolley busses, carloads.

From: St. Louis, Mo.

To: Akron, Ohio, and other points in central territory.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 51-8052; Filed, July 12, 1951; 8:48 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2654]

CONSOLIDATED NATURAL GAS CO. ET AL.

NOTICE REGARDING PROPOSED ISSUANCE OF COMMON STOCK AND NOTES TO REGISTERED HOLDING COMPANY BY SUBSIDIARY COMPANIES

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 6th day of July A. D. 1951.

In the matter of Consolidated Natural Gas Company, the East Ohio Gas Company, Hope Natural Gas Company, New York State Natural Gas Corporation, File No. 70-2654.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act") by Consolidated Natural Gas Company ("Consolidated"), a registered holding company, and The East Ohio Gas Company ("East Ohio"), and Hope Natural Gas Company ("Hope"), wholly owned public utility subsidiaries of Consolidated, and New York State Natural Gas Corporation ("New York Natural"), a wholly owned nonutility subsidiary of Consolidated. Applicants-declarants have designated sections 6 (b), 9 (a), 10, 12 (b) and 12 (f) of the act and Rule U-43 promulgated thereunder, as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than July 18, 1951, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application-declaration proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after July 18, 1951, said application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said application-declaration which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

East Ohio proposes to issue and sell to Consolidated and Consolidated proposes to acquire, 80,000 shares of $100 par value capital stock of East Ohio for an aggregate consideration of $8,000,000. Such stock is to be issued from time to time within the twelve-month period ending July 1, 1952, as financing is required by East Ohio in the carrying out of its construction program.

Consolidated proposes to loan to Hope and Hope proposes to borrow from Consolidated, an aggregate amount of $5,000,000 at an interest rate of 3¼ percent per annum on non-negotiable notes of Hope maturing as follows: $500,000 on March 31, 1954, and $500,000 on each March 31 thereafter to and including March 31, 1963. The loans are to be made from time to time within the twelve-month period ending July 1, 1952, as financing is required by Hope in carrying out its construction program.

Consolidated further proposes to loan to New York Natural and New York Natural proposes to borrow from Consolidated, an aggregate amount of $33,000,000 at an interest rate of 3¼ percent per annum on non-negotiable notes of New York Natural maturing as follows: $1,000,000 on March 31, 1954, and $1,000,000 on each March 31 thereafter to and including March 31, 1956; and $1,500,000 on March 31, 1957, and $1,500,000 on each March 31 thereafter to and including March 31, 1976. The loans are to be made from time to time within the twelve-month period ending July 1, 1952, as financing is required by New York Natural in carrying out its construction program.

The application-declaration states that The Public Utilities Commission of Ohio has jurisdiction over the proposed issuance of additional capital stock by East Ohio to Consolidated, and that The Public Service Commission of West Virginia has jurisdiction over the proposed borrowings by Hope from Consolidated. Copies of the orders of the said Commissions will be supplied by amendment to the application-declaration.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F. R. Doc. 51-8037; Filed, July 12, 1951; 8:45 a. m.]

[File No. 70-2663]

AMERICAN NATURAL GAS CO. AND MICHIGAN CONSOLIDATED GAS CO.

NOTICE OF FILING REGARDING ISSUANCE AND SALE OF BONDS AND ISSUANCE AND SALE OF COMMON STOCK TO PARENT HOLDING COMPANY

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 6th day of July A. D. 1951.

Notice is hereby given that a joint application-declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("act"), by American Natural Gas Company ("American Natural"), a registered holding company, and its public utility subsidiary, Michigan Consolidated Gas Company ("Michigan Consolidated"). Applicants-declarants have designated sections 6 (b), 9, 10, and 12 (f) of the act and Rules U-43 and U-50, promulgated thereunder as applicable to the proposed transactions.

All interested persons are referred to the application-declaration on file in the office of the Commission for a statement of the transactions therein proposed, which may be summarized as follows:

Michigan Consolidated proposes to issue and sell at competitive bidding, pursuant to the provisions of Rule U-50, $15,000,000 principal amount of First Mortgage Bonds, ____ percent series due 1976. The bonds are to be dated August 1, 1951, and are to be issued under and secured by the company's Indenture of Mortgage and Deed of Trust dated March 1, 1944, as heretofore supplemented and as to be further supplemented by a Fifth Supplemental Indenture to be dated as of August 1, 1951. The interest rate on the bonds (which shall be a multiple of ⅛ of 1 percent) and the price, exclusive of accrued interest, to be received by the Company (which shall not be less than 100 percent nor more than 102.75 percent of the principal amount of said bonds) are to be determined by competitive bidding.

At or prior to the issuance and sale of the proposed bonds, Michigan Consolidated proposes to issue and sell to its parent, American Natural, at the par value thereof, $14 per share, 358,000 shares of common stock for an aggregate cash consideration of $5,012,000. In order to make possible the proposed issuance and sale of said common stock, Michigan Consolidated proposes to increase its authorized common stock from 4,200,000 shares to 4,500,000 shares of the par value of $14 per share, by appropriate amendment of its Articles of Incorporation.

The filing states that approximately $4,000,000 of the proceeds from the sale of the proposed bonds will be deposited with the Indenture Trustee and be subject to withdrawal against the certification of unbonded net property additions. The remainder of the net proceeds from the sale of the bonds and of the additional shares of common stock is to be used for the payment of interim short-term bank borrowings of Michigan Consolidated in the principal amount of $4,000,000, estimated to be incurred prior to the consummation of the proposed financing, and to provide funds for the expansion of facilities and to reimburse the treasury of Michigan Consolidated for expenditures made for that purpose.

The application-declaration further states that the proposed issuance and sale of the bonds and common stock by Michigan Consolidated are subject to the jurisdiction of the Michigan Public Service Commission, that a certified copy of the order of that Commission is to be filed in this proceeding, and that no other regulatory authority except the Securities and Exchange Commission has jurisdiction over the proposed transactions.

The application-declaration also states that the proposed issuance and sale of the additional common stock by Michigan Consolidated is exempt from the competitive bidding requirements of Rule U-50 by virtue of the provisions of paragraph (a) (3) of Rule U-50.

Notice is hereby given that any interested person may, not later than July 19, 1951, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held with respect to the application-declaration, stating the nature of his interest, the reasons for such request and the issues of fact or law raised by said application-declaration which he desires to controvert or may request that he be notified if the Commission should order a hearing with respect thereto. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after July 19, 1951, said application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the Rules and Regulations promulgated under the act or the Commission may exempt the

proposed transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F. R. Doc. 51-8038; Filed, July 12, 1951; 8:45 a. m.]

[File No. 70-2657]

WORCESTER COUNTY ELECTRIC CO.

NOTICE OF PROPOSED NOTE ISSUES

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 5th day of July A. D. 1951.

Notice is hereby given that Worcester County Electric Company ("Worcester County"), a public utility subsidiary company of New England Electric System ("NEES"), a registered holding company, has filed a declaration pursuant to the Public Utility Holding Company Act of 1935. The filing has designated section 7 of the act as being applicable to the transactions described therein.

Notice is further given that any interested person may, not later than July 20, 1951, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said declaration proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after July 20, 1951, said declaration, as filed or as amended, may be permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said declaration which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Worcester County proposes to issue to The First National Bank of Boston, from time to time but not later than September 30, 1951, promissory notes in an aggregate principal amount not in excess of $1,000,000. Said notes will mature six months after the respective dates thereof and will bear interest at the prime interest rate charged by banks for such notes at the time said notes are issued. It is stated in said declaration that said prime interest rate at the present time is 2½ percent. If said prime interest rate is in excess of 2¾ percent at the time any of such notes is issued, Worcester County will file an amendment to this declaration setting forth therein the principal amount of the note or notes proposed to be issued and the rate of interest thereon at least five days prior to the execution and delivery thereof and Worcester County requests that, unless the Commission notifies it to the contrary within said five day period, such amendment will become effective at the end of such period. The declaration states that the proposed notes may be prepaid, in whole or in part, prior to maturity.

As at April 30, 1951, Worcester County had outstanding $1,500,000 principal amount of 2½ percent short-term promissory notes and proposes in this declaration that the maximum principal amount of all of its promissory notes to be outstanding on, or at any time prior to, September 30, 1951, will not be in excess of $2,500,000.

The declaration states that the proceeds to be derived from the proposed issuance of $1,000,000 principal amount of promissory notes will be used by Worcester County to pay for construction work to September 30, 1951, or to reimburse Worcester County's treasury because of prior construction expenditures.

The declaration further states that if any permanent financing is done by Worcester County prior to September 30, 1951, it will apply the proceeds therefrom in reduction of, or in total payment of its then outstanding promissory notes and the balance, if any, of the aggregate face amount of promissory notes authorized by this Commission, but unissued by Worcester County, will be reduced by the amount, if any, by which such permanent financing exceeds the promissory notes of Worcester County at the time outstanding. Worcester County has stated that it expects that the proposed note indebtedness will be financed permanently through the issuance of common stock to NEES in the latter part of 1951 and has been advised that NEES expects to have the necessary funds to invest in such common stock from the proceeds of the sale of the system's gas properties in Massachusetts.

The declaration further states that incidental services in connection with the proposed transactions will be performed, at cost, by New England Power Service Company, an affiliated service company, such cost being estimated not to exceed $750.

The declaration further states that no State commission or Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Worcester County requests that the Commission's Order herein become effective upon issuance thereof.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F. R. Doc. 51-8039; Filed, July 12, 1951; 8:46 a. m.]

[File No. 54-184]

UNITED CORP.

ORDER DENYING PETITION FOR REHEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 6th day of July A. D. 1951.

Randolph Phillips, a holder of common stock of The United Corporation ("United"), a registered holding company, having filed a petition on July 2, 1951, requesting a rehearing by the Commission with respect to its Findings and Opinion, issued on June 15, 1951 (Holding Company Act Release No. 10614) in these proceedings pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, insofar as such Findings and Opinion reach the conclusion that the standards of the act do not require that the Commission's approval of the plan filed by United be conditioned on the inclusion in United's Certificate of Incorporation of a provision making elimination or change of cumulative voting rights dependent upon the obtaining of the consent of the holders of two-thirds of the outstanding voting stock of United;

The said petition having further requested that, in the event a rehearing is not granted, the Commission reserve jurisdiction so as to make any change in the cumulative voting rights subject to its prior consent and approval;

United having filed an answer in opposition to the said petition;

The Commission having duly considered the petition and the grounds set forth therein, and it appearing that said petition raises no issues not previously presented to the Commission and considered in its Findings and Opinion of June 15, 1951, and in connection with its Memorandum Opinion and Order dated June 26, 1951 (Holding Company Act Release No. 10643);

After due consideration the Commission finding that no adequate basis has been presented for granting the requests embraced by said petition;

It is ordered, That the petition for rehearing and request for reservation of jurisdiction contained therein filed by Randolph Phillips be, and they hereby are, in all respects denied.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F. R. Doc. 51-8040; Filed, July 12, 1951; 8:46 a. m.]

[File No. 70-2655]

CENTRAL VERMONT PUBLIC SERVICE CORP.

NOTICE OF PROPOSED ISSUANCE AND SALE OF BONDS AND NOTES

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 9th day of July A. D., 1951.

Notice is hereby given that an application, and amendments thereto, have been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935 ("act"), by Central Vermont Public Service Corporation ("Central Vermont"), a public utility subsidiary of New England Public Service Company, a registered holding company. Applicant has designated section 6 (b) of the act and Rule U-50 promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than July 18, 1951, at 5:30 p. m., e. d. s. t., request

the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after July 18, 1951, said application, as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof.

All interested persons are referred to said application, as amended, which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Central Vermont proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, $2,000,000 principal amount of First Mortgage __ Percent Bonds, Series G, due 1981. The interest rate on said bonds (to be a multiple of ⅛ of 1 percent) and the price, exclusive of accrued interest, to be received by the company (to be not less than 100 percent nor more than 102.75 percent of the principal amount of said bonds) are to be determined at competitive bidding. The bonds are to be issued under and secured by a Mortgage to Old Colony Trust Company, Trustee, dated October 1, 1929, as supplemented by various Indentures, including a proposed Supplemental Indenture to be dated August 1, 1951. The company will apply $1,000,000 of the proceeds from the sale to the reduction of short-term borrowings incurred for interim financing of its construction requirements, and will use the remaining proceeds for other corporate purposes, including its construction requirements.

Central Vermont also proposes to issue or renew, from time to time after the sale of the bonds, until December 31, 1951, notes having a maturity of nine months or less up to the maximum amount of $1,600,000 (including notes outstanding as of June 22, 1951 in the amount of $1,450,000). The company anticipates that it will be able to borrow the required funds at an interest rate of not exceeding 2¾ percent per annum. It states that if the interest rate on any of the notes should exceed 2¾ percent, it will file an amendment to its application at least five days prior to the execution and delivery of the note, and asks that such amendment become effective without further order of the Commission at the end of the five-day period unless the Commission shall have notified the company to the contrary. The aggregate amount of the short-term notes proposed to be issued will exceed 5 percent of the principal amount and par value of the other securities of the company then outstanding.

The company estimates that expenditures for its construction program for the last eight months of 1951 and for 1952 will amount to $2,724,000 and $2,100,000, respectively, and that $3,400,000 will be required for this purpose from outside sources. The application states that it is the present desire of the company to refund the short-term notes and raise funds to finance a substantial part of its construction program through the issuance and sale of common stock. However, it states that it does not believe it is advisable to attempt to market its common stock at this time, but believes that it will be in a position to market common stock before the end of 1951.

Central Vermont estimates that its fees and expenses in connection with the proposed transactions will amount to $28,000, including printing costs of $9,500, Trustees' fees and expenses of $3,050, accountants' fees of $3,250 and counsel fees of $7,000.

It is represented that the Vermont Public Service Commission, the regulatory commission of the State in which the company is organized and doing business, has jurisdiction over the proposed issuance and sale of the bonds and that a copy of the order of said Commission authorizing the transaction will be supplied by amendment. It is further represented that no regulatory authority, other than this Commission, has jurisdiction over the proposed issuance or renewal of the notes.

It is requested that the Commission's order herein be issued on or before July 20, 1951, and that it become effective upon the issuance thereof.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F. R. Doc. 51-8041; Filed, July 12, 1951; 8:46 a. m.]

NEW YORK CURB EXCHANGE

RECORD DISPOSAL PLAN

The Securities and Exchange Commission has announced that it has declared effective the Plan filed on May 24, 1951, by the New York Curb Exchange, pursuant to § 240.17a-6 (Rule X-17A-6) under the Securities Exchange Act of 1934 for disposal of the following material filed with that Exchange pursuant to the stated sections of the act or the rules and regulations thereunder.

(1) Applications and reports filed pursuant to sections 12 and 13 which have been on file for more than 5 years.

(2) Documents and reports filed pursuant to sections 14 and 16 which have been on file for more than 5 years after the termination of listing and registration of all equity securities of a registrant on the New York Curb Exchange.

However, in the case of a registrant the listing and registration of all of whose securities have been terminated on the New York Curb Exchange by reason of their listing and registration on the New York Stock Exchange, the complete registration file for the securities and the reports filed pursuant to section 16, then on file with the New York Curb Exchange will, at the request of the registrant or the New York Stock Exchange, be transferred to the New York Stock Exchange at the time registration of the securities on that Exchange becomes effective. In these cases, documents filed pursuant to section 14 will not be so transferred but will be disposed of in accordance with the provisions of (2) above.

Under the Plan, regular disposition will be made of similar material in May of each year.

The purpose of the Plan is to alleviate the record storage problems of the Exchange and to facilitate the availability of material filed with the Exchange within five years. Information contained in the material to be disposed of by the Exchange is on file with the Commission where it will continue to be available.

The above Plan was declared effective on the condition that if at any time it appears to the Commission necessary or appropriate in the public interest or for the protection of investors, the Commission may suspend or terminate the effectiveness of the said Plan by sending at least 10 days' written notice to the Exchange. Notice of the Commission's proposal to declare this Plan effective was published for comment in Securities Exchange Act Release No. 4612.

The text of the Commission's action follows:

The Securities and Exchange Commission, acting pursuant to the Securities Exchange Act of 1934, particularly sections 17 (a), 23 (a), and 24 (b) thereof and § 240.17a-6 (Rule X-17A-6) thereunder, having due regard for the public interest and for the protection of investors, and deeming it necessary in the public interest, for the protection of investors and for the exercise of the functions vested in it, does hereby declare effective the Plan filed on May 24, 1951, by the New York Curb Exchange pursuant to Rule X-17A-6, on condition that if at any time it appears to the Commission necessary or appropriate in the public interest or for the protection of investors so to do, the Commission may suspend or terminate the effectiveness of said Plan by sending at least 10 days' written notice to the Exchange.

The Commission finds that Rule X-17A-6 and this action taken thereunder have the effect of granting exemption and relieving restriction, and that this action therefore may be and is hereby declared to be effective July 5, 1951.

By the Commission.

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

JULY 5, 1951.

[F. R. Doc. 51-8042; Filed, July 12, 1951; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Return Order 1007]

BANCO DI SICILIA

Having considered the claim set forth below and having issued a determina-

tion allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Banco di Sicilia, Palermo, Italy; Claim No. 5388; May 24, 1951 (16 F. R. 4913); 100 shares of common capital stock of Orma Realty Corporation, a New York corporation, registered in the name of the Alien Property Custodian, Account No. 38-52, evidenced by Certificate No. 11, dated August 14, 1942, presently in the custody of the Federal Reserve Bank of New York. A promissory note in the amount of $314,455, dated May 5, 1938, executed by Orma Realty Corp., payable on demand to the claimant, and bearing interest at the rate of 3 percent, presently in the custody of the Office of Alien Property, New York, N. Y.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 3, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-8058; Filed, July 12, 1951; 8:48 a. m.]

[Return Order 1009]

KATHLEEN KERSTING

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, be returned, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Kathleen Kersting, Milan, Italy; Claim No. 5520; May 23, 1951 (16 F. R. 4824), $2,199.42 in the Treasury of the United States. Real property located at 1851 South Broadway (Lawrence) Avenue, Wichita, Kansas, more particularly described as lots 140 and 142 on South Lawrence Avenue in English's Seventh Addition, according to the recorded plat thereof, City of Wichita, County of Sedgwick, State of Kansas.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 3, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-8059; Filed, July 12, 1951; 8:49 a. m.]

[Return Order 1011]

FELIX JEAN LOUIS ALEXANDRE AMIOT

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Felix Jean Louis Alexandre Amiot, Cherbourg, France; Claim No. 26148; May 24, 1951 (16 F. R. 4913); property described in Vesting Order No. 293 (7 F. R. 9836, November 26, 1942) relating to Patent Application Serial Nos. 288,683; 288,679 (now United States Letters Patent No. 2,319,285) and 272,281 (now United States Letters Patent No. 2,369,515); property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943) relating to United States Letters Patent Nos. 2,292,731; 2,266,682; 2,246,494; 2,246,493; 2,234,394 and 2,234,393. This return shall not be deemed to include the rights of any licensees under the above patent application and patents.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 3, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-8060; Filed, July 12, 1951; 8:49 a. m.]

[Return Order 1014]

MARCEL PAUL DURAND

Having considered the claim set forth below and having issued a determination allowing the claim, which is incorporated by reference herein and filed herewith,

It is ordered, That the claimed property, described below and in the determination, including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, be returned after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Notice of Intention To Return Published, and Property

Marcel Paul Durand, St. Germain on Laye, France; Claim No. 5099; May 24, 1951 (16 F. R. 4913); property described in Vesting Order No. 293 (7 F. R. 9836, November 26, 1942) relating to Patent Application Serial No. 431,207 (now United States Letters Patent No. 2,342,795). This return shall not be deemed to include the rights of any licensees under the above patent.

Appropriate documents and papers effectuating this order will issue.

Executed at Washington, D. C., on July 3, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-8061; Filed, July 12, 1951; 8:49 a. m.]